REMARKS

I. RESTRICTION AND ELECTION

The Examiner imposed a restriction requirement on pending claims 1-36 which were divided into Groups as follows:

Group I—claims 1-2 (in part), 3-5, 11-14, drawn to methods of administering a composition comprising a vascular endothelial growth factor C (VEGF-C) protein or a vascular endothelial growth factor D (VEGF-D) protein;

Group II— claims 1-2 (in part), 3-5, 11-14, drawn to methods of administering a composition comprising a vascular endothelial growth factor C (VEGF-C) polynucleotide or a vascular endothelial growth factor D (VEGF-D) polynucleotide;

Group III—claim 15, drawn to purified and isolated neural cells

Group IV—claims 16-22, drawn to methods of administering neural stem cells

Group V—claims 23-28 (in part), drawn to methods of administering a VEGF-C or VEGF-D protein and a neural growth factor

Group VI— claims 23-28 (in part), drawn to methods of administering a VEGF-C or VEGF-D polynucleotide and a neural growth factor

Group VII—claims 29-31 (in part), drawn to methods of administering a VEGF-C or VEGF-D protein and a neurotherapeutic agent;

Group VIII— claims 29-31 (in part), drawn to methods of administering a VEGF-C or VEGF-D polynucleotide and a neurotherapeutic agent;

Group IX—claims 32-34, drawn to methods of administering a VEGF-C inhibitor

Group X—claim 35 (in part), drawn to a composition comprising a VEGF-C protein and a neural growth factor;

Group XI— claim 35 (in part), drawn to a composition comprising a VEGF-C polynucleotide and a neural growth factor;

Group XII— claim 36 (in part), drawn to a composition comprising a VEGF-C protein and a neurotherapeutic agent;

Group XIII— claim 35 (in part), drawn to a composition comprising a VEGF-C polynucleotide and a neurotherapeutic agent;

In response to the restriction, Applicants elect, with traverse, Group II, claims 1-2, 3-5, 11-14, drawn to methods of administering a VEGF-C or VEGF-D polynucleotide.

III. TRAVERSAL OF RESTRICTION

Applicants request reconsideration of the restriction issued by the Examiner. Groups I, V and VII should be considered as a single Group and Groups II, VI and VIII should be considered as a single Group. The Patent Office has made an unsupportable statement that these groups are unrelated. The fact that the claims of later groups are dependent from claims of each group shows relatedness. Both Groups I, V and VII and Groups II, VI and VIII are drawn to methods of administering a composition comprising a vascular endothelial growth factor C (VEGF-C) protein/polynucleotide or a vascular endothelial growth factor D (VEGF-D) protein/polynucleotide (Groups I, II), further comprising administering a neural growth factor (Groups V, VI) or a neurotherapeutic agent (Groups VII, VIII). A search for prior art relating to administering a VEGF-C or VEGF-D protein/polynucleotide product should identify any art that describes administration of the VEGF-C or VEGF-D product with a second factor, such as a

neural growth factor or a neurotherapeutic agent. Likewise, a determination that GroupI/II claims are patentable over the prior art should necessarily mean that Groups V & VII/VI & VIII claims also are patentable over the prior art. As such, the groups can be searched in a single search which would not place an undue burden on the examiner, and examined together. Applicants request withdrawal of the Restriction between and Groups I, V, and VII and the restriction between Groups II, VI, and VIII.

Although it is less immediately relevant, in view of the election, the Applicants also request that the division of making a cell population, the cells themselves, and the methods for using the cells (e.g., Groups III and IV and claim 14) be withdrawn. The examination of such related claims, together, expedite prosecution and ease Patent Office backlog, and can be done without burden. Methods of administering a polypeptide or a polynucleotide encoding it should be examined together due to the similarity and relationship of the two. The allegation that proteins are unrelated to the genes that encode them is false, and the Applicants submit that they are capable of use together. In fact, all of the allegations of "unrelatedness" are traversed.

II. CONCLUSION

Applicants submit that the application is in condition for allowance and respectfully request expedited notification of the same.

Dated: April 27, 2006

Respectfully submitted,

By _____

Katherine L. Neville, Ph.D.
Registration No.: 53,379
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Driver, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Agent for Applicants